

## From the Office of the City Attorney ROCKARD J. DELGADILLO



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## **Eight Wilmington Businesses Charged With Environmental Violations**

City Attorney Rocky Delgadillo's Environmental Justice Unit Coordinates Multi-Agency Task Force to Ensure Compliance with the Law

LOS ANGELES – Eight businesses, ranging from an auto repair shop to a major sandblasting company, were each charged with multiple criminal counts for creating environmental hazards in Wilmington following a series of ongoing multi-agency inspections, City Attorney Rocky Delgadillo announced.

"Since we began our Wilmington Initiative nearly a year ago, industrial and commercial polluters have been put on notice that protecting our environment and natural resources remains a top priority and those who place our natural resources at risk will be prosecuted," said Delgadillo. "We will continue to be vigilant and decisive in our ongoing fight to bring long overdue environmental justice to the residents who live near Wilmington."

"The community of Wilmington has historically been neglected and under served. I want to thank the City Attorney for committing to cleaning up Wilmington and for following through," said Councilwoman Janice Hahn, who represents Wilmington. "Together, we are improving this community and sending a clear message that we will no longer tolerate people using Wilmington as a dumping ground. I hope to work closely with the City Attorney to bring these polluters to justice."

The eight criminal cases filed by Delgadillo's Environmental Justice Enforcement and Compliance Team (EJECT) are part of the Wilmington Initiative which was launched on June 5, 2003. Since then, the initiative has resulted in 22 criminal filings for environmental violations.

The most significant of the eight cases was a 14-count criminal complaint against AJC Sandblasting Inc., following inspections in August 2003 by the Los Angeles County Fire Department Hazmat Division and the California Regional Water Quality Control Board.

AJC Sandblasting was charged with recklessly storing hazardous waste and flammable solvents which could result in fire, explosion, serious injury or death; a charge carrying a penalty up to \$250,000 for each day of violation and one year in jail according to Deputy City Attorney Vaughn Minassian.

Agents also discovered a series of potential contamination violations including the improper storage, disposal and labeling of hazardous material including copper, xylene, and waste paints carrying a penalty up to one year in jail and/or \$1,000 fine. Arraignment is scheduled for June 14 in Division 81 of Los Angeles Superior Court.

The Wilmington Initiative was created to ensure businesses in the Wilmington area are complying with local and state environmental laws. The task force of city, county, and state agencies focuses on investigating non-permitted and permitted facilities that handle hazardous material or waste. Inspectors with the Wilmington Initiative have examined junkyards, chrome-plating facilities, sandblasting facilities, auto repair and dismantling shops with the most serious violations.

The following cases, to be handled by Minassian and Deputy City Attorney Jaime Suarez, will each be arraigned in Division 81 of Los Angeles Superior Court:

AJC Sandblasting, Inc., 932 Schley Ave., was inspected in September 2003 by the Los Angeles County Fire Department Hazmat Division, Los Angeles City Fire Department and the California Regional Water Quality Control Board. Arraignment is scheduled for June 14.

- Count 1 Reckless disregard of risks in handling and storage of hazardous waste and flammable solvents, which caused unreasonable risk of fire, explosion, serious injury or death.
- Count 2 Disposal of hazardous waste (copper in excess of 4400mg/kg) to unprotected soil.
- Count 3 Disposal of hazardous waste (flammable solvents, waste paints, xylene and other hazardous materials) into the air and unprotected soil.
- Count 4 Failure to maintain and operate facility in a manner that minimizes possibility of fire, explosion or unplanned sudden release of hazardous waste to air, soil or surface water, which could threaten human health or the environment.
- Count 5 Failure to store hazardous waste in closed container.
- Count 6 Failure to maintain hazardous waste containers in good condition.
- Count 7 Failure to provide classroom instruction or on-the-job training.
- Count 8 Failure to develop and implement a Storm Water Pollution Prevention
- Counts 9-12 Various violations regarding improper dispensing of flammable liquids.
- Count 13 No warning placards posted.
- Count 14 Operating without a permit.
- Penalties: Count 1: Up to one year in jail and fines between \$5,000 and \$250,000 for

each day of violation.

Counts 2-3: Up to one year in jail.

Counts 4-14: Up to six months in jail and/or \$1,000 fine.

<u>People v. Sea Tek, Inc.</u>, 508 E. E Street was inspected on June 12, 2003 by the Los Angeles County Fire Department/Haz Mat Division. Arraignment is scheduled for June 11.

- Count 1 Failure to properly label hazardous waste container.
- Count 2 Failure to implement a contingency plan.
- Count 3 Failure to obtain annually renewable Unified Program Facility permit.

• Penalties: Up to six months in jail and/or \$1,000 fine for each count.

<u>Domingo Vazquez, dba California Auto Dismantler</u>, 931 Vreeland Avenue, was inspected July 22, 2003, by Los Angeles County Fire Department Hazmat Division and the Los Angeles Department of Building & Safety. Arraignment is scheduled for June 11.

- Count 1 Failure to implement a contingency plan.
- Count 2 Failure to obtain permit.
- Count 3 Unlawful construction of office trailer.
- Count 4 Use of land other than was permitted.
- Penalties: Up to six months in jail and/or \$1,000 fine for each count.

<u>Javier Lopez, dba Shorty Body Shop</u>, 932 Henry Ford Avenue, was inspected on June 26, 2003, by the Los Angeles County Fire Department Hazmat Division and the Los Angeles Department of Building and Safety. Arraignment is scheduled for June 11.

- Count 1 Failure to properly label hazardous waste container.
- Count 2 Failure to implement a contingency plan.
- Count 3 Unlawful construction of office trailer.
- Count 4 Use of land other than was permitted.
- Count 5 Failure to comply with an order issued by the Department of Building and Safety
- Penalties: Up to six months in jail and/or \$1,000 fine for each count.

Jose G. Villalpando, dba Refections Auto Body, 1211 W. Anaheim Street, was inspected June 12 and July 14, 2003, by the Los Angeles County Fire Department and the Los Angeles Department of Building and Safety, City Watershed Protection Division. Arraignment is scheduled for June 14.

- Count 1 Discharge of non-stormwater to the storm drain system.
- Count 2 Failure to properly label hazardous waste container.
- Count 3 Failure to implement a contingency plan.
- Penalties: Up to 6 months jail and/or \$1,000 fine for each count.

**Rigoberto Gutierrez, dba Astro Auto Dismantlers,** 1002 N. Schley Avenue, was inspected July 8, 2003, by Los Angeles County Fire Department, California Regional Water Quality Control Board, and the Los Angeles Department of Building and Safety. Arraignment is scheduled for June 11.

- Count 1 Failure to properly label hazardous waste container.
- Count 2 Failure to implement a contingency plan.
- Count 3 Failure to provide classroom instruction or on-the-job training program.
- Count 4 Failure to maintain records of training.
- Count 5 Failure to implement best management practices required by the Storm Water Pollution Prevention Plan.

- Count 6 Obstructing public right of way (sidewalk) with vehicles and vehicle parts and trash.
- Penalties: Counts 1-4 and 6 Up to 6 months jail and/or \$1,000 fine Count 5 - Up to one year jail and/or fines between \$5,000 and \$25,000 per day of the violation.

<u>Guadalupe J. Rivas, dba Lupe's Auto Sales & Dismantling</u>, 918 N. Schley Avenue, was inspected June 5, 2003, by Los Angeles County Fire Department, California Regional Water Quality Control Board, and the Los Angeles Department of Building and Safety. Arraignment is scheduled for June 11.

- Count 1 Failure to implement best management practices required by the Storm Water Pollution Prevention Plan.
- Count 2 Failure to implement a contingency plan.
- Count 3 Failure to provide for a solid fence or wall within M3 zone.
- Count 4 Unlawfully stored cars at a height greater than the fence.
- Counts 5 and 6 Construction and use of a building without a building permit.
- Count 7 Obstructing public right of way (sidewalk) with vehicles and vehicle parts and trash.
- Penalties: Count 1: Up to one year jail and/or fines between \$5,000 and \$25,000 per day of violation

  Counts 2-7: Up to 6 months jail and/or \$1,000 fine for each count.

<u>Allen Alevy, dba CBA Industries</u> in Wilmington was inspected March 3. Arraignment is scheduled for June 11, 2004.

- Count 1 Use of land other than was permitted without securing a permit.

  Alevy improperly uses his vacant lot for truck storage without a permit.
- Count 2 Failure to comply with order issued by Los Angeles Department of Building and Safety. Alevy continues with truck storage without a permit.
- Penalties: Up to 6 months jail and/or \$1,000 fine for each count.

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